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BY ECF AND BY HAND

December 2, 2010

The Honorable Sue L. Robinson
United States District Court
844 King Street
Wilmington, DE 19801

Re: Callaway v. Acushnet
USDC-D. Del. - C. A. No. 06-91 (SLR)

Dear Judge Robinson:



ATLANTA

BOSTON

DALLAS

DELAWARE

HOUSTON

MUNICH

NEW YORK

SILICON VALLEY

SOUTHERN CALIFORNIA

TWIN CITIES

WASHINGTON, DC

I write on behalf of Callaway Golf regarding its recently filed Rule 60 motion [D.I. 631] which is now fully briefed with the filing today of a short reply brief. Recently, after the filing of the motion, Callaway Golf received notice from the Patent Office that the hearing before the Board relating to the reexaminations of the patents-in-suit is scheduled for January 19, 2011. Callaway Golf seeks to inform the PTO of Acushnet's breach of contract prior to that time, to allow the agency to take this important fact into consideration in assessing whether to stay or perhaps terminate the on-going reexaminations. Acushnet's only objections to the motion are on timeliness grounds as further discussed in the briefing. Thus, review of this matter should not require any significant Court resources.

Callaway Golf is acutely aware of the Court's burden but respectfully urges a prompt disposition to minimize the possibility that the enormous efforts the Court already has spent have not been in vain.

Respectfully,

/s/ Thomas L. Halkowski

Thomas L. Halkowski

cc: Opposing Counsel of Record

TLH/jrm

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